

## **MINUTES -- JULY 15, 1997**

### **TRAVIS COUNTY COMMISSIONERS' COURT**

On Tuesday, the 15<sup>th</sup> day of July 1997, the Commissioners' Court convened the Voting Session at 10:10 AM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Travis County Administration Building, 314 West 11<sup>th</sup> Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Anna M. Valdez.

The Commissioners' Court recessed the Voting Session at 11:57 PM and reconvened the Voting Session at 1:35 PM.

The Commissioners' Court retired to Executive Session at 5:40 PM and reconvened the Voting Session at 7:37 PM.

The Commissioners' Court adjourned the Voting Session at 8:04 PM.

The Commissioners' Court, meeting as the Northwest Travis County Road District No. 3 (Golden Triangle), convened the NWTCRD #3 Voting Session at 8:04 PM and adjourned at 8:04 PM.

The Commissioners' Court record notes that Judge Aleshire was representing the County at Federal Court and was not present during the afternoon session of today's Voting Session.

The Commissioners' Court record notes that Judge Aleshire rejoined the Voting Session at 4:45 PM.

## RESOLUTIONS & HEARINGS

1. INTRODUCTION OF PATRICIA GOODMAN TO COMMISSIONERS' COURT.  
(10:13 AM)

**Members of the Court heard from:** Jim Collins, Executive Assistant County Attorney; and Patricia Goodman, Assistant County Attorney.

## CITIZENS' COMMUNICATION

**Members of the Court heard from:** Gus Peña, President, East Austin Concerned Hispanics.  
(10:16 AM)

**CONSENT ITEMS**

**2. Motion by** Commissioner Biscoe and **seconded by** Commissioner Gómez to approve the following Consent Items: 28, 29; and C1 - C11. (10:19 AM)

**Motion carried:** Precinct 1, Commissioner Samuel T. Biscoe - yes  
Precinct 2, Commissioner Karen Sonleitner - yes  
Precinct 3, Commissioner Valarie Scott Bristol - yes  
Precinct 4, Commissioner Margaret J. Gómez - yes  
County Judge Bill Aleshire - yes

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION FACILITIES.
- C3. APPROVE COMMISSIONERS' COURT MINUTES FOR VOTING SESSIONS OF APRIL 29, 1997.
- C4. APPROVE BUDGET AMENDMENTS AND TRANSFERS.
- C5. APPROVE FY '98 DEBT SERVICE FUNDS RESERVE LEVELS.
- C6. APPROVE CONTRACT AWARD FOR THE PROVISION OF PAINT AND PAINT SUPPLIES, IFB #B970109-JJ, TO THE LOW, QUALIFIED BIDDER, MONARCH PAINT COMPANY.
- C7. APPROVE PLAT FOR RECORDING IN PRECINCT THREE: REPLAT OF LOTS 14 AND 15, BLOCK ONE, SECTION 8, THE RANCH P.U.D., SECTIONS 4 - 11 (SHORTFORM SUBDIVISION - NO FISCAL - 2 LOTS - 6.38 ACRES - COUNTRYSIDE DRIVE - OETJ).
- C8. APPROVE PLAT FOR RECORDING IN PRECINCT TWO: TROWBRIDGE ESTATES - (SHORTFORM - NO FISCAL REQUIRED - 2 LOTS - 4.117 ACRES - GATE DANCER LANE).
- C9. APPROVE A PUBLIC HEARING DATE OF JULY 29, 1997 TO APPROVE THE VACATION OF A DRAINAGE EASEMENT ON LOT 1, BLOCK I, NORTH PARK SECTION FIVE, A SUBDIVISION IN PRECINCT TWO.

## CONSENT ITEMS CONTINUED

- C10.** APPROVE A PUBLIC HEARING DATE OF JULY 29, 1997 TO APPROVE THE VACATION OF A WATER AND WASTEWATER EASEMENT ON LOT 4 FERGUSON COMMERCIAL SECTION I, A SUBDIVISION IN PRECINCT ONE.
- C11.** APPROVE A PUBLIC HEARING DATE OF JULY 29, 1997 FOR APPROVAL OF PROPOSED STREET NAME ASSIGNMENT FOR 3100' EASEMENT EXTENDING WEST OF WERCHAN ROAD APPROXIMATELY 1800' SOUTH OF WILLIAMSON COUNTY LINE TO "SVENSKA ROAD", PRECINCT ONE.

## COUNTY POLICIES AND PROCEDURES

- 3.** DISCUSS AND APPROVE THE CATASTROPHIC SICK LEAVE POLICY.  
(10:10 AM) (10:15 AM) (3:28 PM)

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Karen Steitle, Policy and Benefits Coordinator, Human Resources Management Department (HRMD); Leroy Nellis, Budget Manager, Planning and Budget Office (PBO); Susan Spataro, County Auditor; and Barbara Wilson, Assistant County Attorney.

Discussion Only.

Item 3 to be reposted on July 22, 1997.

## ADMINISTRATIVE ITEMS

4. A. CONSIDER CITIZEN ADVISORY COMMITTEE RECOMMENDATIONS AND PROPOSED PROJECT LIST FOR PROPOSED TRAVIS COUNTY BOND ELECTION. (10:20 AM)

**Members of the Court heard from:** Paula Wong, Chair, Citizens' Advisory Committee for 1997 Travis County Bonds; Mark Nibbelink, Chairman, TNR Subcommittee; Walter Timberlake, Community Representative; Leslie Pool, Chair of Combined Committee -- Facilities, Justice and Public Safety and Health and Human Services; Anjali Kaul, Steering Committee and TNR Committee; Joe Gieselman, Executive Manager, TNR; and Larry Anderson; TNR.

Discussion Only.

- B. SET PUBLIC HEARING DATES TO RECEIVE CITIZEN INPUT ON CITIZEN ADVISORY COMMITTEE RECOMMENDATIONS AND PROPOSED PROJECT LIST.

**Members of the Court heard from:** Paula Wong, Chair, Citizens' Advisory Committee for 1997 Travis County Bonds; Mark Nibbelink, Chairman, Transportation and Natural Resources (TNR) Subcommittee; Walter Timberlake, Community Representative; Leslie Pool, Chair of Combined Committee -- Facilities, Justice and Public Safety; and Health and Human Services; Anjali Kaul, Steering Committee and TNR Committee; Joe Gieselman, Executive Manager, TNR and Larry Anderson, TNR.

**Motion by** Commissioner Biscoe and **seconded by** Commissioner Gómez direct staff to proceed with the Committee to provide information to the public and to conduct the public hearings as scheduled, and follow the schedule which has been presented to the Court in Exhibit 2. The Court will also release Exhibits 1 and 1.B.

**A Clarification was made of the previous Motion by** Commissioner Bristol to assure the public is notified of the public hearings through newspaper advertisements.

**ITEM 4 CONTINUED**

**Maker and Second accept the Friendly Amendment by** Commissioner Sonleitner to commend the Citizens' Bond Committee's for their work to this point.

**Acceptance of the Friendly Amendment was made by** Commissioner Biscoe and **seconded by** Commissioner Gómez.

**Motion carried:**

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

**5. DISCUSS AND GIVE DIRECTION CONCERNING THE PLANS FOR AND CRITERIA FOR LOCATING A HOMELESS CAMPUS. (10:50 AM)**

**Members of the Court heard from:** Stephen Williams, Executive Manager, Austin-Travis County Health and Human Services Department and Veterans Affairs Services; Richard Peña, Task Force Chairman, Community Action Network; Frank Cooksey, former Mayor, City of Austin, and President of Capitol Area Homeless Alliance; and Joyce Pullman, Health Department, Homeless Coordinator

Discussion Only.

Item 5 to be reposted at a later date.

6. A. AUTHORIZE STAFF TO PROCEED WITH DEVELOPMENT AND IMPLEMENTATION OF AN OWNER CONTROLLED INSURANCE PROGRAM (OCIP). (1:37 PM)

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Leroy Nellis, Budget Manager, PBO; Daniel Mansour, Risk Manager, HRMD; Mike Barrow, Project Manager, Fluor Daniel; Kevin Bailey, Director, Facilities Management; Roy Hendrix, Marsh McLennan, Inc.; Roy Tower, Marsh McLennan, Inc.; and Tom Peel, Marsh McLennan, Inc..

Discussion Only.

- B. AUTHORIZE HIRING ONE DEDICATED OCIP CLAIM/SAFETY SPECIALIST FTE, GRADE 21. (1:37 PM)

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Leroy Nellis, Budget Manager, PBO; Daniel Mansour, Risk Manager, HRMD; Mike Barrow, Project Manager, Fluor Daniel; Kevin Bailey, Director, Facilities Management; Roy Hendrix, Marsh McLennan, Inc.; Roy Tower, Marsh McLennan, Inc.; Tom Peel, Marsh McLennan, Inc..

Discussion Only.

- C. AWARD THE OCIP CONSULTANT CONTRACT. (1:37 PM)

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Leroy Nellis, Budget Manager, PBO; Daniel Mansour, Risk Manager, HRMD; Mike Barrow, Project Manager, Fluor Daniel; Kevin Bailey, Director, Facilities Management; Roy Hendrix, Marsh McLennan, Inc.; Roy Tower, Marsh McLennan, Inc.; Tom Peel, Marsh McLennan, Inc..

Discussion Only.

Item 6.A, B and C postponed until July 22, 1997.

7. REVIEW, DISCUSS AND GIVE DIRECTION ON THE FOLLOWING FOR THE CRIMINAL JUSTICE CENTER (CJC) CONSTRUCTION PROJECT: (2:12 PM)

A. APPROVE BUDGET FOR CRIMINAL JUSTICE CAPITAL IMPROVEMENT PROGRAM.

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Kevin Bailey, Director of Facilities Management; Mike Barrow, Project Manager, Fluor Daniel; Trenton Wann, Graeber, Simmons and Cowan; Daniel Mansour, Risk Manager, HRMD.

**Motion by** Commissioner Bristol and **seconded by** Commissioner Sonleitner to approve the revised budget for the Criminal Justice Center in the amount of \$32,449,755.00.

<b>Motion carried:</b>	Precinct 1, Commissioner Samuel T. Biscoe	-	yes
	Precinct 2, Commissioner Karen Sonleitner	-	yes
	Precinct 3, Commissioner Valarie Scott Bristol	-	yes
	Precinct 4, Commissioner Margaret J. Gómez	-	yes
	County Judge Bill Aleshire	-	absent

B. AUTHORIZE ALTERNATE BID PACKAGES TO CRIMINAL JUSTICE CENTER PROJECT. (2:17 PM)

**Motion by** Commissioner Sonleitner and **seconded by** Commissioner Biscoe to approve the alternate bid packages to the CJC project as presented by staff.

<b>Motion carried:</b>	Precinct 1, Commissioner Samuel T. Biscoe	-	yes
	Precinct 2, Commissioner Karen Sonleitner	-	yes
	Precinct 3, Commissioner Valarie Scott Bristol	-	yes
	Precinct 4, Commissioner Margaret J. Gómez	-	yes
	County Judge Bill Aleshire	-	absent

**ITEM 7 CONTINUED**

**C. AUTHORIZE THE RELEASE OF BID DOCUMENTS FOR RELEASE #4 ON THE CRIMINAL JUSTICE CENTER CONSTRUCTION PROJECT. (2:26 PM)**

**Motion by** Commissioner Bristol and **seconded by** Commissioner Sonleitner to approve the release of bid documents for Release #4 on the Criminal Justice Center Construction project with the changes in language as discussed.

**Motion carried:**

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	absent

**D. AUTHORIZE THE PROCESS FOR PURCHASE OF BUILDERS RISK INSURANCE PAID FOR BY THE COUNTY. (2:28 PM)**

Item 7.D postponed until July 22, 1997.

**8. RECEIVE STATUS REPORT ON COMMUNITY JUSTICE CENTER, INCLUDING IMPLEMENTATION OF TRANSITION COMMITTEE RECOMMENDATIONS, AND TAKE APPROPRIATE ACTION.. (1:30 PM)**

**Members of the Court heard from:** Dinah Dinwiddie, Executive Manager, Criminal Justice Planning (CJP); and Kati Broderick, Manager, CJP.

Discussion Only.

Item 8 to be reposted on July 22, 1997.

9. CONSIDER PLACEMENT OF RAZOR RIBBON ON PERIMETER OF FENCE AT COMMUNITY JUSTICE CENTER AND TAKE APPROPRIATE ACTION. (3:12 PM)

**Members of the Court heard from:** Dinah Dinwiddie, Executive Manager, CJP; and J.D. Williams, Warden, State Jail.

**Motion by** Commissioner Sonleitner and **seconded by** Commissioner Biscoe to draft a letter to the state asking them to reconsider the decision to install the razor ribbon now that the County's security measures are in place. Ask them to re-evaluate whether razor ribbon should stay (if it is installed) once the population of the Facility shifts to a majority of Travis County offenders.

**Motion carried:**

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	absent

**10. REQUEST APPROVAL TO ADVERTISE FOR PROCUREMENT OF SERVICES, RFS #S970126SG, CIVIL COURTS JUSTICE SYSTEM (CCJS) NEEDS ASSESSMENT AND OPERATIONS MASTER PLAN. (3:42 PM)**

**Members of the Court heard from:** Cyd V. Grimes, Travis County Purchasing Agent; Ron Ledford, Director of Court Management, Civil Courts; Kevin Bailey, Director of Facilities Management; Alicia Perez, Executive Manager, Administrative Operations; and Leslie Strickland, Planner, Facilities Planning, Facilities Management.

**Motion by** Commissioner Sonleitner and **seconded by** Commissioner Gómez to approve the request to advertise for the procurement of the services on the RFS as listed on the agenda. This motion includes the change in language, which Commissioner Biscoe requested, on Page 18 related to the authority of the Steering Committee and the authority of the Commissioners' Court. It is also to include the changes, which the Court just addressed on 24.B, making it clear where it says "proposed for 2010" and all other references there that the Court means "proposed through 2010".

**Clerk's Note:** The language changes, which Commissioner Biscoe requested on Pg. 18 are under General Responsibilities and are as, listed below.

- 1) The Steering Committee will work with the Consultant on all major issues, including but not limited...
- 2) ...and scheduling issues. The Commissioners' Court will be the ultimate authority on all budget issues. The Committee is comprised...

**Motion carried:**

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	absent

11. CONSIDER ALTERNATIVE PROVISIONS AND APPROVE SECOND AMENDMENT TO PARK LEASE WITH THE LCRA. (11:42 AM)

**Motion by** Judge Aleshire and **seconded by** Commissioner Biscoe to ask language to be drafted on the authorized use of the LCRA Parks CIP fund to list as one of the permissible uses of that fund to reimburse the County for bonded expenditures that the County makes for improvements there.

<b>Motion carried:</b>	Precinct 1, Commissioner Samuel T. Biscoe	-	yes
	Precinct 2, Commissioner Karen Sonleitner	-	yes
	Precinct 3, Commissioner Valarie Scott Bristol	-	yes
	Precinct 4, Commissioner Margaret J. Gómez	-	yes
	County Judge Bill Aleshire	-	yes

Item 11 to be reposted on July 22, 1997.

12. RECEIVE REPORT ON STATUS OF CIP RESERVE FROM VOTER APPROVED 1984 BOND REFERENDUM, INCLUDING A BREAKDOWN OF EXPENDITURES BY PRECINCT, AND TAKE APPROPRIATE ACTION..

Item 12 postponed until July 22, 1997.

13. APPROVE EXTENSION OF FLOODING DISASTER DECLARATION. (4:05 PM)

**Members of the Court heard from:** Don Rigsby, TNR; Ruben Cantu, TNR; Joe Gieselman, Executive Manager, TNR; and Chris Callsen, Director of Emergency Services, CJP.

**Motion by** Commissioner Biscoe and **seconded by** Commissioner Gómez to approve Item 13.

<b>Motion carried:</b>	Precinct 1, Commissioner Samuel T. Biscoe	-	yes
	Precinct 2, Commissioner Karen Sonleitner	-	yes
	Precinct 3, Commissioner Valarie Scott Bristol	-	yes
	Precinct 4, Commissioner Margaret J. Gómez	-	yes
	County Judge Bill Aleshire	-	absent

Item 13 to be reposted on July 22, 1997.

- 14. CONSIDER AND TAKE ACTION ON AGREEMENT SETTING FORTH THE FUNCTIONS, RESPONSIBILITIES, ROLES AND RELATIONSHIPS OF THE CITY OF AUSTIN, TRAVIS COUNTY, AND THE CAPITAL AREA WORKFORCE DEVELOPMENT BOARD IN DELIVERY OF WORKFORCE DEVELOPMENT SERVICES. (11:40 AM) (4:13 PM)

**Members of the Court heard from:** Stephen Williams, Executive Manager, Austin-Travis County Health and Human Services Department and Veterans Affairs Services.

**Motion by** Commissioner Sonleitner and **seconded by** Commissioner Gómez to approve Item 14.

**Motion carried:**

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	absent

- 15. RECEIVE IJS NEGOTIATION UPDATE AND TAKE APPROPRIATE ACTION, IF NECESSARY, RFP R960072-OJ. (3:27 PM)

Item 15 postponed until July 22, 1997.

- 16. DISCUSS, APPROVE AND AUTHORIZE THE EVALUATION COMMITTEE TO ACT AS NEGOTIATION TEAM AND TO ENTER INTO NEGOTIATIONS WITH MULTIPLE PROPOSERS FOR THE GROUP BENEFITS PROGRAM, RFP R970104-OJ. (10:10 AM) (11:47 AM) (5:10 PM) (5:40 PM) (7:37 PM)

**Members of the Court heard from:** Cyd V. Grimes, Travis County Purchasing Agent; Judy Cheatham, Marketing Director, PCA Health Plans; Jeff Kloster, Vice President, Legal Affairs; Dr. George Smith, PCA Central Region Executive Director; Joe Dougherty, Sales Manager, PCA; Alicia Perez, Executive Manager, Administrative Operations; Daniel Mansour, Risk Manager, HRMD.

Judge Aleshire announced that Item 16 would be considered in Executive Session.

**Members of the Court agreed** to consider one Motion for Items 16, 21.D, 26, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, and 43. Please refer to Item 30 for a summary of the Court's action on this motion.

17. APPROVE PERSONNEL AMENDMENTS. (4:25 PM) (5:40 PM) (7:38 PM)

**Members of the Court heard from:** Carlotta Valdez, Compensation Manager, HRMD; Marilyn Abbett Hancock, Interim Director, HRMD; Alicia Perez, Executive Manager, Administrative Operations; Susan Spataro, County Auditor; Darwin McKee, Assistant County Attorney; and Jim Collins, Executive Assistant County Attorney.

Judge Aleshire announced that Item 17 would be considered in Executive Session.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Biscoe to approve the Amendments as stated in the Order.

**Clerk’s Note:** Judge Aleshire requested a division of the vote.

**Motion:** First, move approval on all those items in the Personnel Amendments excluding the Travis County Auditor’s Office.

<b>Motion carried:</b>	Precinct 1, Commissioner Samuel T. Biscoe	-	yes
	Precinct 2, Commissioner Karen Sonleitner	-	yes
	Precinct 3, Commissioner Valarie Scott Bristol	-	yes
	Precinct 4, Commissioner Margaret J. Gómez	-	yes
	County Judge Bill Aleshire	-	yes

**Motion:** Second, move approval only on the Auditor’s portion of the Personnel Amendments.

<b>Motion carried:</b>	Precinct 1, Commissioner Samuel T. Biscoe	-	yes
	Precinct 2, Commissioner Karen Sonleitner	-	yes
	Precinct 3, Commissioner Valarie Scott Bristol	-	yes
	Precinct 4, Commissioner Margaret J. Gómez	-	yes
	County Judge Bill Aleshire	-	abstain

**ITEM 17 CONTINUED**

**Motion by** Judge Aleshire and **seconded by** Commissioner Sonleitner to reconsider the vote on approval of the other Personnel Amendments to the extent that it relates to the County Attorney’s Paralegal positions.

**Motion carried:** Precinct 1, Commissioner Samuel T. Biscoe - yes  
 Precinct 2, Commissioner Karen Sonleitner - yes  
 Precinct 3, Commissioner Valarie Scott Bristol - yes  
 Precinct 4, Commissioner Margaret J. Gómez - yes  
 County Judge Bill Aleshire - yes

**Motion by** Judge Aleshire and **seconded by** Commissioner Biscoe to upgrade the Paralegal II(s) from a Grade 13 to a Grade 15, recognizing that is about 15 percent and that applies to both incumbent and vacant positions. Also, repost this item for further consideration next week. If the Court needs to re-clarify something it will do so.

**Motion carried:** Precinct 1, Commissioner Samuel T. Biscoe - yes  
 Precinct 2, Commissioner Karen Sonleitner - yes  
 Precinct 3, Commissioner Valarie Scott Bristol - yes  
 Precinct 4, Commissioner Margaret J. Gómez - yes  
 County Judge Bill Aleshire - yes

**18. UPDATE AND APPROVE METHODOLOGY FOR COUNTY EMPLOYEE SALARY SURVEY AND GIVE STAFF DIRECTION. (4:57 PM)**

**Members of the Court heard from:** Carlotta Valdez, Compensation Manager, HRMD; Marilyn Abbett Hancock, Interim Director, HRMD; Frank Wagner, Personnel Specialist, HRMD; Alicia Perez, Executive Manager, Administrative Operations; and Joe Gieselman, Executive Manager, TNR.

**Motion by** Commissioner Biscoe and **seconded by** Commissioner Gómez to approve Item 18.

**Motion carried:** Precinct 1, Commissioner Samuel T. Biscoe - yes  
 Precinct 2, Commissioner Karen Sonleitner - yes  
 Precinct 3, Commissioner Valarie Scott Bristol - yes  
 Precinct 4, Commissioner Margaret J. Gómez - yes  
 County Judge Bill Aleshire - yes

19. CONSIDER AND TAKE ACTION ON AMENDMENT NO. 4 TO THE INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF AUSTIN AND TRAVIS COUNTY FOR PUBLIC ANIMAL SHELTER SERVICES TO EXTEND THAT AGREEMENT. (4:16 PM)

**Members of the Court heard from:** Joe Sealy, Manager, Special Environmental Programs; Stephen Williams, Executive Manager, Austin-Travis County Health and Human Services Department and Veterans Affairs Services; and Mary Etta Gerhardt, Assistant County Attorney.

**Motion by** Commissioner Bristol and **seconded by** Commissioner Biscoe to approve Amendment No. 4 to the Interlocal Cooperation Agreement between the City of Austin and Travis County.

**Motion carried:**

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	absent

20. APPROVE USE OF CAPITAL ACQUISITION RESERVE (CAR) FUNDS TO COVER DIFFERENCE BETWEEN RISK FUND PAYMENT AND REPLACEMENT COST OF TOTAL LOSS VEHICLES. (10:10 AM)

Item 20 postponed until July 22, 1997.

**21. APPROVE GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSION TO CONTINUE. (5:15 PM)**

**A. APPROVE GRANT APPLICATION TO TEXAS FOREST SERVICE FOR PUBLIC OUTREACH CHALLENGE GRANT FOR TRANSPORTATION AND NATURAL RESOURCES (TNR) DEPARTMENT. (5:15 PM)**

**B. APPROVE GRANT CONTRACT FOR VICTIM SERVICES VICTIM ASSOCIATES FOR SHERIFF’S OFFICE. (5:15 PM)**

**C. APPROVE GRANT CONTRACT FOR ALTERNATIVE FUELS COUNCIL GRANT FOR TRANSPORTATION AND NATURAL RESOURCES (TNR) DEPARTMENT. (5:15 PM)**

**Motion by Judge Aleshire and seconded by Commissioner Biscoe to approve Items 21.A, B and C.**

<b>Motion carried:</b>	Precinct 1, Commissioner Samuel T. Biscoe	-	yes
	Precinct 2, Commissioner Karen Sonleitner	-	yes
	Precinct 3, Commissioner Valarie Scott Bristol	-	yes
	Precinct 4, Commissioner Margaret J. Gómez	-	yes
	County Judge Bill Aleshire	-	yes

**D. APPROVE GRANT APPLICATION FOR BUILD GREATER AUSTIN PROGRAM FOR TRANSPORTATION AND NATURAL RESOURCES (TNR) DEPARTMENT. (5:15 PM) (7:37 PM)**

Judge Aleshire announced that Item 21.D would be considered in Executive Session.

**Members of the Court agreed** to consider one Motion for Items 16, 21.D, 26, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, and 43. Please refer to Item 30 for a summary of the Court’s action on this motion.

22. APPROVE ADVANCE FUNDING AGREEMENT WITH TXDOT FOR SURFACE TRANSPORTATION PROGRAM (STP) 4C PROJECT IN CONNECTION WITH THE DEVELOPMENT OF DESSAU ROAD NORTH, CIP PROJECT NO. 2-019. (10:10 AM)

Item 22 postponed until July 22, 1997.

23. DISCUSS AND GIVE STAFF DIRECTION ON DRAINAGE ISSUES IN SWISS ALPINE SUBDIVISION. (5:16 PM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; Ruben Cantu, TNR, and Don Rigsby, TNR.

Discussion Only.

Item 23 to be reposted on July 22, 1997.

24. APPROVE PHASING AGREEMENT WITH PULTE HOME CORPORATION FOR GREAT OAKS AT SLAUGHTER CREEK, PHASE B SUBDIVISION. (5:27 PM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR.

Discussion Only.

Item 24 postponed until July 22, 1997.

25. APPROVE REDUCTION OF LETTER OF CREDIT TO ZERO FOR LAS ENTRADAS ON LAKE TRAVIS, A SUBDIVISION IN PRECINCT THREE. (5:31 PM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR.

**Motion by** Commissioner Bristol and **seconded by** Commissioner Biscoe to approve Item 25.

**Motion carried:**

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

26. APPROVE TERMINATION FOR DEFAULT, CONTRACT WITH ADVANCED DRUG DETECTION SERVICES, INC.; DRUG/ALCOHOL ABUSE TESTING SERVICES. (5:32 PM) (5:40 PM) (7:37 PM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; and Mary Etta Gerhardt, Assistant County Attorney.

Judge Aleshire announced that Item 26 would be considered in Executive Session.

**Members of the Court agreed** to consider one Motion for Items 16, 21.D, 26, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, and 43. Please refer to Item 30 for a summary of the Court's action on this motion.

27. REVIEW AND APPROVE THE FOLLOWING PROPERTY AND LIABILITY CLAIM RECOMMENDATIONS: (5:34 PM)

- A. TNR -- SETTLE
- B. JUVENILE COURT -- SETTLE
- C. ROBERT FOSTER -- SETTLE
- D. GRACIE GUYTOH -- DENY

**Members of the Court heard from:** Daniel Mansour, Risk Manager, HRMD; and Eric M. Shepperd, Assistant County Attorney.

**Motion by** Commissioner Sonleitner and **seconded by** Commissioner Biscoe to approve the property and liability claims as recommended by the Risk Manager.

**Motion carried:**

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

28. APPROVE RESOLUTION IN SUPPORT OF REQUIRING STAGGERED TERMS FOR APPRAISAL BOARD MEMBERS, EFFECTIVE JANUARY 1, 1998. (10:19 AM)

Item 28 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

29. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:19 AM)

Item 29 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

## EXECUTIVE SESSION ITEMS

**Note 1** - Gov't Code Ann 551.071, Consultation with Attorney

**Note 2** - Gov't Code Ann 551.072, Real Property

**Note 3** - Gov't Code Ann 551.074, Personnel Matters

- 30.** RECEIVE ADVICE FROM COUNTY ATTORNEY CONCERNING FLOOD PLAIN REGULATIONS AND FEMA RULES AND TAKE APPROPRIATE ACTION. <sup>1</sup>  
(5:40 PM)

Judge Aleshire announced that Item 30 would be considered in Executive Session.

**Members of the Court agreed** to consider one Motion for Items 16, 21.D, 26, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, and 43.

**Motion by** Judge Aleshire and **seconded by** Commissioner Biscoe to approve the following Items as summarized below:

- 16.** Request the County Attorney's Office to discuss this situation with attorneys for PCA.
- 21.D** Item 21.D postponed until July 22, 1997.
- 26.** Item 26 postponed until July 22, 1997.
- 31.** Counter their offer in the total amount of \$150,000.00 which will include interest and all other costs, attorney fees, etc.; Item 31 will also be reposted on July 22, 1997.
- 32.** Accept their offer of \$8,441.00 per acre including all the other aspects of the deal for an estimated total of \$1,750,000.00 subject to a title report. Also request the County Attorney to draft the Option Agreement and present it in an attempt to get it finalized. That will be submitted back to the Commissioners' Court for final approval.
- 33.** Item 33 postponed until July 22, 1997.
- 34.** Item 34 pulled from the agenda.
- 35.** Item 35 postponed until July 22, 1997.
- 36.** Item 36 pulled from the agenda.
- 37.** No action taken on Item 37 but the Commissioners' Court does note that a settlement in the approximate amount of \$100,000.00 covering the asbestos in the University Savings will be expected minus 30 percent attorney's fees.
- 38.** Item 38 postponed until July 22, 1997.

**ITEM 30 CONTINUED**

- 39. Item 39 postponed until July 29, 1997.
- 40. Authorize the County Attorney to initiate condemnation proceedings on Item 40.
- 41. Authorize the County Attorney to initiate condemnation proceedings on Item 41.
- 42. Authorize the County Attorney to initiate condemnation proceedings on Item 42.
- 43. Item 43 postponed until July 22, 1997.

**Motion carried:**

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

- 31. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, TEXAS V. JERRY OERTLI AND META OERTLI PRIEM. <sup>1</sup> (5:40 PM) (7:37 PM)

Judge Aleshire announced that Item 31 would be considered in Executive Session.

**Members of the Court agreed** to consider one Motion for Items 16, 21.D, 26, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, and 43. Please refer to Item 30 for a summary of the Court's action on this motion.

32. CONSIDER AGREEMENT WITH THE SMITH FAMILY TRUST FOR AN OPTION ON 207 ACRES FOR USE BY TNR. <sup>2</sup> (10:10 AM) (5:40 PM) (7:37 PM)

Judge Aleshire announced that Item 32 would be considered in Executive Session.

**Members of the Court agreed** to consider one Motion for Items 16, 21.D, 26, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, and 43. Please refer to Item 30 for a summary of the Court's action on this motion.

33. APPROVE, REJECT, OR COUNTER OFFER FROM WELLS BRANCH JOINT VENTURE AND TANDEM COMPUTERS WITH REGARD TO IMPROVEMENT OF DOUBLE FILE TRAIL TO COUNTY STANDARDS. <sup>1</sup> (5:40 PM) (7:37 PM)

Judge Aleshire announced that Item 33 would be considered in Executive Session.

**Members of the Court agreed** to consider one Motion for Items 16, 21.D, 26, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, and 43. Please refer to Item 30 for a summary of the Court's action on this motion.

34. RECEIVE BRIEFING FROM COUNTY ATTORNEY CONCERNING LEGAL ISSUES INVOLVED IN APPOINTING A MEMBER OF THE COMMISSIONERS' COURT TO THE BOARD OF CAPITAL METRO AND TAKE APPROPRIATE ACTION. <sup>1</sup> (5:40 PM) (7:37 PM)

Judge Aleshire announced that Item 34 would be considered in Executive Session.

**Members of the Court agreed** to consider one Motion for Items 16, 21.D, 26, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, and 43. Please refer to Item 30 for a summary of the Court's action on this motion.

35. RECEIVE BRIEFING FROM COUNTY ATTORNEY IN TRAVIS COUNTY V. RYLANDER INVESTMENT COMPANY; CASE NUMBER 96-50100 AND USDC NUMBER A-94-CA-561-SC, AND TAKE APPROPRIATE ACTION. <sup>1</sup> (5:40 PM) (7:37 PM)

Judge Aleshire announced that Item 35 would be considered in Executive Session.

**Members of the Court agreed** to consider one Motion for Items 16, 21.D, 26, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, and 43. Please refer to Item 30 for a summary of the Court's action on this motion.

36. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN RE: CURTIS L. AND MARIAN L. DELANCEY D/B/A FLASH WRECKER SERVICES, CAUSE NUMBER 94-11138, DELANCEY; WELLS-SPEARS; BANKRUPTCY). <sup>1</sup> (10:10 AM) (7:37 PM)

Judge Aleshire announced that Item 36 would be considered in Executive Session.

**Members of the Court agreed** to consider one Motion for Items 16, 21.D, 26, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, and 43. Please refer to Item 30 for a summary of the Court's action on this motion.

37. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN KIRBYVILLE I.S.D. VS. W.R. GRACE, CAUSE NUMBER 1:97CV347 (ALESHIRE; ASBESTOS CLASS ACTION)<sup>1</sup> (5:40 PM) (7:37 PM)

Judge Aleshire announced that Item 37 would be considered in Executive Session.

**Members of the Court agreed** to consider one Motion for Items 16, 21.D, 26, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, and 43. Please refer to Item 30 for a summary of the Court's action on this motion.

38. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION IN AVE., INC., AND KATHERINE DAGNINO V. TRAVIS COUNTY, TEXAS AND TERRY KEEL (AVE., INC.; ALESHIRE LAND USE REGULATIONS).<sup>1</sup> (5:40 PM) (7:37 PM)

Judge Aleshire announced that Item 38 would be considered in Executive Session.

**Members of the Court agreed** to consider one Motion for Items 16, 21.D, 26, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, and 43. Please refer to Item 30 for a summary of the Court's action on this motion.

39. APPROVE PURCHASE CONTRACT WITH JIMMY SPILLAR FOR ACQUISITION OF APPROXIMATELY 650 SQUARE FEET OUT OF SPILLAR PROPERTY AT 2701 S. CONGRESS IN CONNECTION WITH JUVENILE JUSTICE PROJECT AND/OR APPROVE COST OF SURVEY, TITLE COMMITMENT AND POLICY, AND CLOSING COSTS. (DINWIDDIE).<sup>2</sup> (10:10 AM) (7:37 PM)

Item 39 postponed until July 29 1997..

**Members of the Court agreed** to consider one Motion for Items 16, 21.D, 26, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, and 43. Please refer to Item 30 for a summary of the Court's action on this motion.

40. AUTHORIZE COUNTY ATTORNEY TO INITIATE CONDEMNATION REGARDING CIP PROJECT NO. 2-019, PARCEL #6, 6E (OWNER - JOHN WUTHRICH, JR., ANGELYN SMITH, EILEEN GANT, AND JULIA REEVES) (GIESELMAN; CONDEMNATION).<sup>2</sup> (5:40 PM) (7:37 PM)

Judge Aleshire announced that Item 40 would be considered in Executive Session.

**Members of the Court agreed** to consider one Motion for Items 16, 21.D, 26, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, and 43. Please refer to Item 30 for a summary of the Court's action on this motion.

41. AUTHORIZE COUNTY ATTORNEY TO INITIATE CONDEMNATION REGARDING CIP PROJECT NO. 2-019, PARCEL #8, 8E (OWNER - JOHN WUTHRICH, JR., ANGELYN SMITH, EILEEN GANT, AND JULIA REEVES) (GIESELMAN; CONDEMNATION).<sup>2</sup> (5:40 PM) (7:37 PM)

Judge Aleshire announced that Item 41 would be considered in Executive Session.

**Members of the Court agreed** to consider one Motion for Items 16, 21.D, 26, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, and 43. Please refer to Item 30 for a summary of the Court's action on this motion.

42. AUTHORIZE COUNTY ATTORNEY TO INITIATE CONDEMNATION REGARDING CIP PROJECT NO. 2-019, DESSAU ROAD NORTH, PARCEL 14, 14E (OWNER - JOHN C. AND DANA H. FISH) (GIESELMAN; CONDEMNATION)<sup>2</sup> (5:40 PM) (7:37 PM)

Judge Aleshire announced that Item 42 would be considered in Executive Session.

**Members of the Court agreed** to consider one Motion for Items 16, 21.D, 26, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, and 43. Please refer to Item 30 for a summary of the Court's action on this motion.

43. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION IN TEXAS EEI, LTD. V. TRAVIS COUNTY, TEXAS (TEXAS EEI, LTD. ODEN; LAND USE REGULATIONS)<sup>1</sup> (5:40 PM) (7:37 PM)

Judge Aleshire announced that Item 43 would be considered in Executive Session.

**Members of the Court agreed** to consider one Motion for Items 16, 21.D, 26, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, and 43. Please refer to Item 30 for a summary of the Court's action on this motion.

**ADJOURNMENT**

**Motion by** Commissioner Sonleitner and **seconded by** Commissioner Gómez to adjourn the Voting Session. (8:04 PM)

**Motion carried:** Precinct 1, Commissioner Samuel T. Biscoe - yes  
Precinct 2, Commissioner Karen Sonleitner - yes  
Precinct 3, Commissioner Valarie Scott Bristol - yes  
Precinct 4, Commissioner Margaret J. Gómez - yes  
County Judge Bill Aleshire - yes

**MINUTES APPROVED BY THE COMMISSIONERS' COURT**

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**Date of Approval**

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**Bill Aleshire, Travis County Judge**